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Date 2/13/03

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PLEASE CHARGE ANY DEFICIENCY UP TO \$300.00 OR CREDIT
ANY EXCESS IN THE FEES DUE WITH THIS DOCUMENT TO
OUR DEPOSIT ACCOUNT NO. 04-0100

I hereby certify that, on the date indicated above, this paper or
fee was deposited with the U.S. Postal Service & that it was
addressed for delivery to the Assistant Commissioner for
Patents, Washington, DC 20231 by "Express Mail Post Office
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X. Stantini X. Stantini

Name (Print)

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Customer No.:



29311

PATENT & TRADEMARK OFFICE

Docket No.: 2427/1G685US1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Patrick F. Kelly; Elio F. Vanin

Serial No.: 09/801,302

Art Unit: 1636

Confirmation No.: 2679

Filed: March 7, 2001

Examiner: Celine X. Qian

For: HIGHLY EFFICIENT GENE TRANSFER INTO HUMAN REPOPULATION
STEM CELLS BY RD114 PSEUDOTYPED RETROVIRAL VECTOR
PARTICLES

05/30/2003 EEKUBAY1 00000006 09801302

01 FC:2253

465.00 0P

Repln. Ref: 05/30/2003 EEKUBAY1 0008160000
DAtt:040100 Name/Number:09801302
FC: 9204 \$625.00 CR

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF APPEALS

Hon. Commissioner of
Patents and Trademarks
Washington, DC 20231

Sir:

Applicant hereby appeals to the Board of Appeals from the decision

dated August 14, 2002 of the Primary Examiner finally rejecting claims 2-18.

02/18/2003 MBERHE 00000005 09801302

01 FC:1401

320.00 0P

Adjustment date: 05/30/2003 EEKUBAY1
02/18/2003 MBERHE 00000005 09801302
01 FC:1401 320.00 0P

The item(s) checked below are applicable:

1. An extension of time to respond to the final rejection is required: a petition and fee of \$930 are enclosed.
2. A timely response to the final rejection has been filed.
3. Fee \$320.00: Fee \$.00 (small entity):

 Enclosed

 Not required (fee paid in prior appeal)

 Charge any deficiency to Deposit Account No. 04-0100

Respectfully submitted,



Irina E. Vainberg, Ph.D.
Reg. No. 48,008
Attorney for Applicant(s)

Dated: February 13, 2003

DARBY & DARBY P.C.
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